

Section I:
AMENDMENT UNDER 37 CFR §1.121 to the
CLAIMS

Claim 1 (currently amended):

A method for indicating that a product or item on display matches a set of consumer preferences comprising the steps of:

responsive to a consumer moving into the proximity of a retail display fixture,
electronically establishing an identity of ~~[[a]]~~ said consumer by a consumer identification unit mounted on or near said retail display fixture;

automatically accessing a persistent datastore to retrieve a set of preferences associated with said consumer identity;

automatically determining if ~~[[any]]~~ one or more products on ~~[[a]]~~ said retail display fixture match said preferences; and

~~providing activating~~ a display unit indicator ~~physically near or~~ mounted on or near said retail display fixture for said products which match said preferences such that said the attention of said proximate consumer is directed to the physical location ~~consumer is alerted to the presence of the~~ matching products.

Claim 2 (original):

The method as set forth in Claim 1 wherein said step of establishing the identity of a consumer is selected from the group of reading a radio frequency identifier tag, reading a bar code, reading a magnetic stripe, and receiving input of a personal identifier code.

Claim 3 (original):

The method as set forth in Claim 1 wherein said step of accessing a persistent datastore comprises accessing a database.

Claim 4 (original):

The method as set forth in Claim 1 wherein said step of determining if any products match said preferences includes a step from the group of matching a consumer size, matching a preferred color, and matching a preferred price.

Claim 5 (original):

The method as set forth in Claim 1 wherein said step of providing an indicator associated with products which match said preferences includes a step from the group of illuminating a lamp, illuminating a light emitting diode, and providing a text display.

Claim 6 (original):

The method as set forth in Claim 1 further comprising the steps of:
retrieving an information data set associated with said products which match said preferences; and
transmitting said information data set to a preferred electronic destination associated with said consumer such that said consumer may collect said information data set for review and reference.

Claim 7 (original):

The method as set forth in Claim 6 wherein said step of transmitting said information data set comprises transmitting an electronic mail message to an electronic mail address.

Claim 8 (original):

The method as set forth in Claim 6 wherein said step of transmitting said information data set comprises transmitting an electronic file to a electronic mail address.

Claim 9 (original):

The method as set forth in Claim 6 wherein said step of transmitting said information data set comprises transmitting an electronic mail message to a persistent computing device selected from the group of an Internet-enabled wireless telephone, a wireless networked personal digital assistant, and a wireless Internet browser appliance.

Claim 10 (original):

The method as set forth in Claim 1 further comprising the steps of:
accessing an inventory datastore; and
determining if a product which matches said preferences is also in stock.

Claim 11 (currently amended):

A computer readable medium encoded with software for indicating that a product or item on display matches a set of consumer preferences, said software causing a computer to perform the steps of:

responsive to a consumer moving into the proximity of a retail display fixture,
electronically establish an identity of ~~[[a]]~~ said consumer by a consumer identification unit mounted on or near said retail display fixture;

automatically access a persistent datastore to retrieve a set of preferences associated with said consumer identity;

automatically determine if ~~[[any]]~~ one or more products on ~~[[a]]~~ said retail display fixture match said preferences; and

activating a ~~provide an activated~~ display unit indicator ~~physically near or mounted on or near~~ said retail display fixture for said products which match said preferences such that ~~[[said]]~~ the attention of said proximate consumer is directed towards the physical location ~~alerted to the presence~~ of the matching products.

Claim 12 (original):

The computer readable medium as set forth in Claim 11 wherein said software for establishing an identity of a consumer is comprises software for performing a step selected from the group of reading a radio frequency identifier tag, reading a bar code, reading a magnetic stripe, and receiving input of a personal identifier code.

Claim 13 (original):

The computer readable medium as set forth in Claim 11 wherein said software for accessing a persistent datastore comprises software for accessing a database.

Claim 14 (original):

The computer readable medium as set forth in Claim 11 wherein said software for determining if any products match said preferences comprises software for performing a step from the group of matching a consumer size, matching a preferred color, and matching a preferred price.

Claim 15 (original):

The computer readable medium as set forth in Claim 11 wherein said software for providing an indicator associated with products which match said preferences includes a software for performing a step from the group of illuminating a lamp, illuminating a light emitting diode, and providing a text display.

Claim 16 (original):

The computer readable medium as set forth in Claim 11 further comprising software for performing the steps of:

retrieve an information data set associated with said products which match said preferences; and

transmit said information data set to a preferred electronic destination associated with said consumer such that said consumer may collect said information data set for review and reference.

Claim 17 (original):

The computer readable medium as set forth in Claim 16 wherein said software for transmitting said information data set comprises software for transmitting an electronic mail message to an electronic mail address.

Claim 18 (original):

The computer readable medium as set forth in Claim 16 wherein said software for transmitting said information data set comprises software for transmitting an electronic file to an electronic mail address.

Claim 19 (original):

The computer readable medium as set forth in Claim 11 wherein said software for transmitting said information data set comprises software for transmitting an electronic mail message to a persistent computing device selected from the group of an Internet-enabled wireless telephone, a wireless networked personal digital assistant, and a wireless Internet browser appliance.

Claim 20 (original):

The computer readable medium as set forth in Claim 11 further comprising software for performing the steps of:

accessing an inventory datastore; and

determining if a product which matches said preferences is also in stock.

Claim 21 (currently amended):

A system for indicating that a product or item on display matches a set of consumer preferences comprising:

a consumer identifier unit adapted to establish an identity of a consumer responsive to said consumer moving into the proximity of a retail display fixture, said consumer identification being unit mounted on or near said retail display fixture;

a consumer preference retriever for accessing a persistent datastore to retrieve a set of preferences associated with said consumer identity;

a preference comparator which receives said set of preferences and compares those to characteristics of products on ~~[[a]]~~ said retail display fixture to determine if ~~[[any]]~~ one or more products match said preferences; and

at least one display unit indicator ~~physically near or~~ mounted on or near said retail display fixture ~~for said retail product display fixture~~ which, responsive to a match being found, is activated such that ~~[[said]]~~ the attention of said proximate consumer is directed towards the physical location ~~alerted to the presence of the matching product.~~

Claim 22 (original):

The system as set forth in Claim 21 wherein said consumer identifier unit is adapted to perform a function selected from the group of reading a radio frequency identifier tag, reading a bar code, reading a magnetic stripe, and receiving input of a personal identifier code.

Claim 23 (original):

The system as set forth in Claim 21 wherein said consumer preference retriever is adapted to access a database.

Claim 24 (original):

The system as set forth in Claim 21 wherein said preference comparator is adapted to perform a function from the group of matching a consumer size, matching a preferred color, and matching a preferred price.

Claim 25 (original):

The system as set forth in Claim 21 wherein said indicator comprises an indicator from the group of a lamp, a light emitting diode, and a text display.

Claim 26 (original):

The system as set forth in Claim 21 further comprising:

a product information data set retriever for retrieving information associated with said product which matches said preferences; and

an information data set transmitter adapted to transmit said information data set to a preferred electronic destination associated with said consumer such that said consumer may collect said information data set for review and reference.

Claim 27 (original):

The system as set forth in Claim 26 wherein said information data set transmitter is adapted to transmit an electronic mail message to an electronic mail address.

Claim 28 (original):

The system as set forth in Claim 26 wherein said information data set transmitter is adapted to transmit an electronic file to a electronic mail address.

Claim 29 (original):

The system as set forth in Claim 26 wherein said information data set transmitter is adapted to transmit an electronic mail message to a persistent computing device selected from the group of an Internet-enabled wireless telephone, a wireless networked personal digital assistant, and a wireless Internet browser appliance.

Claim 30 (original):

The system as set forth in Claim 21 further comprising an inventory datastore query processor for accessing an inventory control system to determine if a product which matches said preferences is also in stock.